



January 25, 2013

VIA ELECTRONIC FILING

Chairman Julius Genachowski
Commissioner Mignon Clyburn
Commissioner Robert M. McDowell
Commissioner Ajit Pai
Commissioner Jessica Rosenworcel
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

**Re: Comments of the Screen Actors Guild-American Federation of
Television and Radio Artists, AFL-CIO (SAG-AFTRA)**

**Public Notice Seeking Comment on 2010 Wireless Microphones
Further Notice, WT Docket Nos. 08-166, 08-167, ET Docket No. 10-24**

**Notice of Proposed Rulemaking, In the Matter of Expanding the
Economic and Innovation Opportunities of Spectrum through
Incentive Auctions, GN Docket No. 12-268**

Dear Chairman Genachowski and Commissioners Clyburn, McDowell, Pai and
Rosenworcel:

The Screen Actors Guild-American Federation of Television and Radio Artists, AFL-CIO ("SAG-AFTRA") is a national labor union representing more than 165,000 media professionals, including film and television actors, announcers, broadcasters, recording artists, singers and many others. In previous comments on the issue of wireless microphone use, we stressed our members' critical need for interference-free wireless microphone systems, particularly in the news broadcast and live entertainment contexts. The Commission's Proposed Rulemaking on Incentive Auctions poses new threats to that interference-free use. To ensure that our members can continue to deliver high-quality performances and can adhere to standards of professionalism in their work, we urge the Commission to maintain protections for licensed and unlicensed wireless microphone use, by continuing to reserve two channels in major markets solely for wireless microphone use, and by rejecting proposals that relegate wireless microphone

SCREEN ACTORS GUILD - AMERICAN FEDERATION OF TELEVISION AND RADIO ARTISTS

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systems to shared channels.

SAG-AFTRA performers often require complex wireless microphone technology to create news and entertainment content. Our actor members, in particular, rely on well-functioning wireless microphone technology to safely carry out their jobs. Because wireless microphones include cue and control devices, film and television crews are able to use them extensively to help manage the safe and efficient flow of people and equipment. These crew members, and the actors with whom they work, cannot afford even brief interruptions to proper functioning of wireless technology. Interference-free wireless microphones ensure that performers will safely navigate complicated special effects and dark and crowded backstage areas. Our recording artist and actor members all regularly perform in large-scale live television events, like benefits, award programs, live sitcom episodes and sports events. In those contexts, clear and fast transmission of cues ensures our members are safe backstage, and can be clearly heard onstage, by nationwide audiences listening in real time. Similarly, in the broadcast news context, journalists and the crews that work with them are responsible for live newscasts many times each day, during which time interference-free use of wireless microphones is essential to the public receiving vital information, often in crisis and emergency situations. Properly functioning microphones also protect those journalists themselves, many of whom report from hazardous locations in the field, where wireless communication with crew members is critical to maintaining the team's safety.

The Commission has recognized this need for well-functioning wireless microphone systems, as seen by the careful measures the Commission took to guard against wireless interference in past proceedings. Commission rules provide that in addition to allowing licensed and unlicensed wireless microphone use on "white space" channels along with "white space devices", that two channels be reserved for use by wireless microphones. The Commission specifically reserved those two channels for wireless microphone systems in its 2010 proceedings, even while opening up white spaces for use by other unlicensed devices. Even more significantly, the Commission maintained this two-channel safe harbor even though there was already a licensing mechanism for wireless microphones under Part 74, and even as unlicensed wireless microphone use in white spaces remains an option. While the safe harbor is the most effective means of protection, the Commission has also provided for a database registry for reserved, as-needed wireless microphone system white space use. These measures together show the critical importance that the Commission has placed on maintaining interference-free wireless microphone systems, even in the face of increasingly crowded airwaves. In turn, these measures allow our members and the entertainment industry of which they are part to function without interruption.

Recent regulatory and technological developments require that the Commission maintain such existing protections against wireless microphone interference. As a primary measure, the Commission should maintain at least two wireless microphone system-dedicated channels in major markets. While some may point to improvements in wireless technology as having the potential to reduce interference, these improvements

are being outpaced by growing interference in white space channels. More and more consumer device transmissions flood the airwaves every day. Moreover, the Commission has stated in its Incentive Auction proceedings that reorganizing the UHF-TV bands may reduce the spectrum available in those bands for all devices. As more devices squeeze onto fewer channels, shared space like “guard bands” is a less viable alternative, as the shared space becomes increasingly crowded, with the potential for interference set to increase over time. Dedicated channels are the only sure-fire way to avoid that interference.

In fact, the Commission’s response to such serious changes should also include new protections for wireless microphone functionality. Priority licensing over consumer devices on non-dedicated white space channels will ensure that the Commission does not have to play catch-up upon its next review of white space use. Likewise, expanding license availability on both dedicated and non-dedicated channels, including a more accessible and further-expedited database registration process, will ensure that space is freed up elsewhere for use by other devices.

SAG-AFTRA members are eager to embrace technological change in support of their work, and our members did so in supporting past Commission proposals. To allow our members to continue doing that work properly, however, the Commission must maintain and strengthen its protections against wireless microphone interference in white spaces. SAG-AFTRA therefore urges the Commission to expand licensing of wireless microphone systems, and to preserve dedicated wireless microphone systems channels.

Respectfully Submitted,

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Policy, SAG-AFTRA, AFL-CIO